

Hamilton County LAW LIBRARY

NEWS

Professional legal information, services, and education

January 2022

I GOT YOU BABE?

By [Jack Greiner](#), Graydon

There is a [battle afoot between Sonny Bono's widow and Sonny's ex-wife Cher](#). And ironically, it's a fight about how the Sonny Bono Copyright Term Extension Act might apply the terms of the Sonny and Cher's divorce settlement.

Let me unpack this a bit. As part of their divorce settlement, Sonny and Cher agreed that Cher would be entitled to 50% of the royalties from his compositions. So far so good. But now Sonny's widow, Mary Bono, has invoked a passage from the U. S. Copyright law that allows the heirs of an author to terminate a grant of a copyright executed before 1978. Cher has filed a lawsuit seeking to block the termination.

It's a tricky question and the resolution isn't clear. On the one hand, the Copyright Law is seemingly clear – if the grant occurred before January 1, 1978, it is "subject to termination." But on the other hand, another provision of the same law says:

"Termination of a grant under this subsection affects only those rights covered by the grant that arise under this title, and in no way affects rights arising under any other Federal, State, or foreign laws."

Sonny and Cher's divorce was governed by California, a community property state, so there is an argument that she was entitled to the 50% share as a matter of law, which would arguably trigger the provision above. But (there's always a but) the transfer in this case wasn't ordered by the court. It was a negotiated settlement, so maybe that provision doesn't apply.

There's also an argument that an assignment of royalties isn't technically a grant of a copyright, so the termination provision doesn't apply by definition. In other words, Sonny didn't technically hand over the copyright to Cher, he simply agreed to pay her whatever royalties he earned from the songs. And that makes sense in that Cher couldn't do anything with the copyright itself as she could if she'd been granted the copyright. For example, Cher can't assign the copyright to anyone, whereas she could, had Sonny assigned the copyright (as opposed to just the royalties) to her.

We'll see what happens here, but it would be nice to have some clarity. Cher and Mary

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Hamilton County Law Library

Hamilton County
Courthouse
1000 Main Street
Room 601
Cincinnati, OH 45202
T:513.946.5300
F:513.946.5264

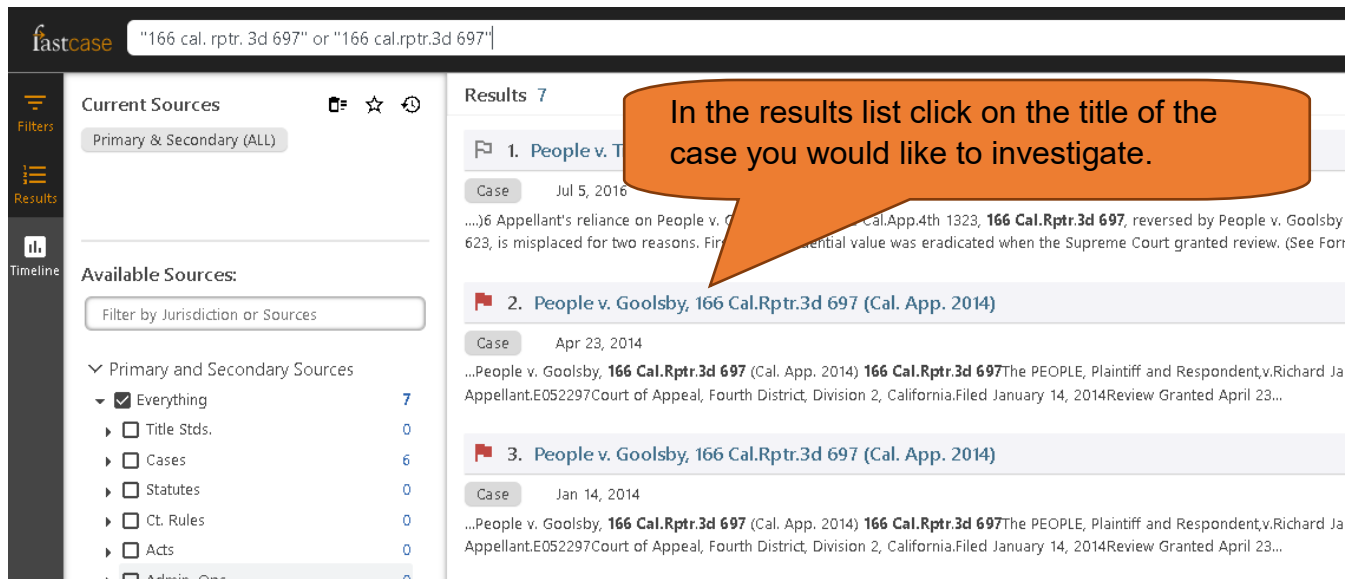
<http://lawlibrary.hamilton-co.org>

M-F 7am-4pm

Tech Tip: Fastcase Authority Check by Julie Koehne, Systems Librarian

Learn how to obtain an authority check report using Fastcase 7 by following these steps.

To begin, log into our website, open Fastcase from the remote access page then run a case search.



fastcase "166 cal. rptr. 3d 697" or "166 cal.rptr.3d 697"

Current Sources: Primary & Secondary (ALL)

Available Sources: Filter by Jurisdiction or Sources

Primary and Secondary Sources

- Everything 7
- Title Stds. 0
- Cases 6
- Statutes 0
- Ct. Rules 0
- Acts 0
- Admin. Ops 0

Results 7

1. **People v. Trevino, 1 Cal.App.5th 120, 203 Cal.Rptr.3d 909**

Case Jul 5, 2016

...6 Appellant's reliance on People v. Goolsby (2014) 222 Cal.App.4th 1323, 166 Cal.Rptr.3d 697, reversed by People v. Goolsby (2015) 62 Cal.4th 360, 196 Cal.Rptr.3d 726, 363 P.3d 623, is misplaced for two reasons. First, its precedential value was eradicated when the Supreme Court granted review. (See Former Cal. Rules...

2. **People v. Goolsby, 166 Cal.Rptr.3d 697 (Cal. App. 2014)**

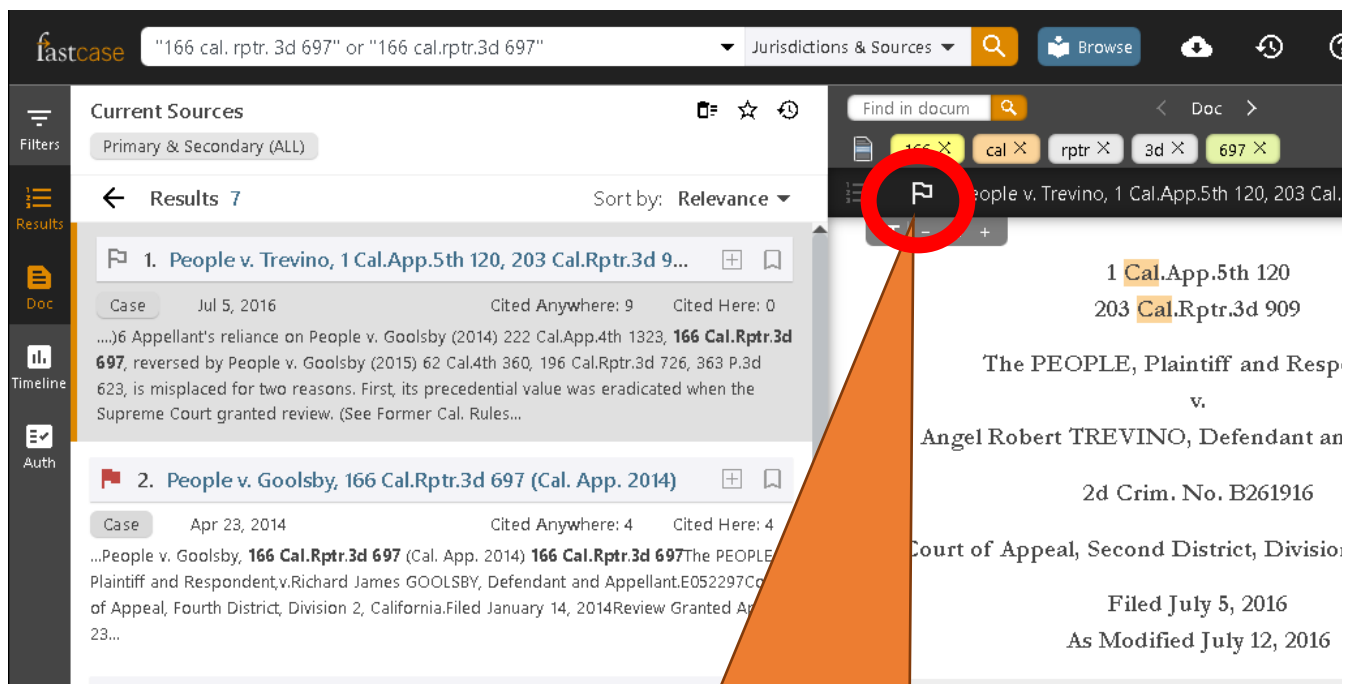
Case Apr 23, 2014

...People v. Goolsby, 166 Cal.Rptr.3d 697 (Cal. App. 2014) 166 Cal.Rptr.3d 697The PEOPLE, Plaintiff and Respondent,v.Richard Ja Appellant.E052297Court of Appeal, Fourth District, Division 2, California.Filed January 14, 2014Review Granted April 23...

3. **People v. Goolsby, 166 Cal.Rptr.3d 697 (Cal. App. 2014)**

Case Jan 14, 2014

...People v. Goolsby, 166 Cal.Rptr.3d 697 (Cal. App. 2014) 166 Cal.Rptr.3d 697The PEOPLE, Plaintiff and Respondent,v.Richard Ja Appellant.E052297Court of Appeal, Fourth District, Division 2, California.Filed January 14, 2014Review Granted April 23...



fastcase "166 cal. rptr. 3d 697" or "166 cal.rptr.3d 697"

Jurisdictions & Sources

Find in document

166 X cal X rptr X 3d X 697 X

1. **People v. Trevino, 1 Cal.App.5th 120, 203 Cal.Rptr.3d 909**

Case Jul 5, 2016 Cited Anywhere: 9 Cited Here: 0

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2. **People v. Goolsby, 166 Cal.Rptr.3d 697 (Cal. App. 2014)**

Case Apr 23, 2014 Cited Anywhere: 4 Cited Here: 4

...People v. Goolsby, 166 Cal.Rptr.3d 697 (Cal. App. 2014) 166 Cal.Rptr.3d 697The PEOPLE, Plaintiff and Respondent,v.Richard James GOOLSBY, Defendant and Appellant.E052297Court of Appeal, Fourth District, Division 2, California.Filed January 14, 2014Review Granted April 23...

1 Cal.App.5th 120
203 Cal.Rptr.3d 909

The PEOPLE, Plaintiff and Respondent
v.
Angel Robert TREVINO, Defendant and Appellant

2d Crim. No. B261916

Court of Appeal, Second District, Division 1

Filed July 5, 2016
As Modified July 12, 2016

To view the Authority Check, click on the flag icon at the top of the case you are viewing.

The screenshot shows the fastcase Authority Check interface. At the top, there's a search bar and a dropdown for 'Jurisdictions & Sources'. Below that, the 'Authority Check' window displays a search for 'United States v. Stitt, 860 F.3d 854 (6th Cir. 2017)'. A 'Filter by Jurisdiction' button is visible. The results are sorted by 'Most Recent'. A red banner at the top of the results list indicates 'Negative Treatment (1)'. Below this, the first citation is 'United States v. Burris, 912 F.3d 386 (6th Cir. 2019)'. An orange callout bubble points to the 'Negative Treatment' banner with the text: 'If there is negative treatment it will display at the top of this list of citations.'

Authority Check uses a sophisticated algorithm to determine the status of a case. Bad Law Bot can identify and recognize language patterns and flag a case for negative treatment.

This screenshot shows the 'Authority Check' window for 'People v. Trevino, 1 Cal.App.5th 120, 203 Cal.Rptr.3d 909 (Cal. App. 2016)'. A red box highlights the 'Filter by Jurisdiction' dropdown menu. An orange callout bubble points to this box with the text: 'Filter the List by Jurisdiction. When you need to find that needle in the haystack, narrow the list by jurisdiction with this drop down list.'

This screenshot shows the 'Authority Check' window for 'People v. Trevino, 1 Cal.App.5th 120, 203 Cal.Rptr.3d 909 (Cal. App. 2016)'. The 'Sort by' dropdown is set to 'Most Cited'. The results list shows 'United States v. Stitt, 860 F.3d 854 (6th Cir. 2017)' at the top, followed by 'People v. Amis (Cal. App. 2020)' and 'People v. Haag (Cal. App. 2019)'. An orange callout bubble points to the 'Sort by: Most Cited' dropdown with the text: 'You may sort the Citations by most cited or most recent.'

For more help, go to the fastcase YouTube channel.

<https://www.youtube.com/channel/UCPIH8DhtAX9w4L51-3JCDMQ/videos>

would each like it as well no doubt.

Jack Greiner is a commercial litigator with an emphasis on communications and media law. He is one of the region's leading advocates for governmental transparency, having argued numerous cases in the Supreme Courts of Ohio and Kentucky and in appellate courts in the tri-state area. His clients have included The Cincinnati Enquirer, the Associated Press, ESPN, Vogue Magazine, Courthouse News Service, NBCUniversal, and television stations in 16 markets.



2022 Law Library Subscriptions

Thanks very much to the many subscribers who have paid for 2022 law library services. The staff and board appreciate your decision to continue as a library user. We will send statements in January as a reminder to people who haven't yet renewed. A timely payment ensures your continued access to legal information resources and services including research support, document delivery, newsletters and practice area updates, borrowing privileges, CLE programs, and more. We won't revoke privileges until March 1, so there is time. Please contact Lauren with any questions about your invoice or library services.

Also, keep in mind that we are able to accept credit card payments for subscriber renewals. If you haven't yet renewed and would like to pay by credit card, please email reference@cms.hamilton-co.org and we'll send you the link to our secure site to make your payment.

Westlaw AND Lexis

We have some exciting news for our subscribers! Beginning in January 2022, we will have access to both Lexis and Westlaw on-site in the Law Library. We will be continuing our Westlaw plan, providing robust access to case law, statutes, forms and treatise materials, AND we have also added patron access to Lexis+. This will provide you access to a wealth of new materials, including a wide array of treatise materials from Ohio, Kentucky and Indiana, case law from all 50 states and federal and unique Lexis jury verdict content. Please contact us at reference@cms.hamilton-co.org for more information!



Fastcase

We have renewed our Fastcase plan for 2022 and will continue to provide access to high-quality legal research materials via remote access to our subscribers who qualify. If you were previously a Casemaker user with the OSBA and would like more information about accessing Fastcase via our website with your Law Library subscription, please don't hesitate to contact us at reference@cms.hamilton-co.org for more assistance. Remote access to Fastcase is limited to attorneys in solo practice, or attorneys in firms whose entire firm subscribes to the Law Library. If you are an individual attorney at a non-subscribing firm, we'd be thrilled to onboard the rest of your attorneys and get your access up and running. Just contact Lauren for more information.

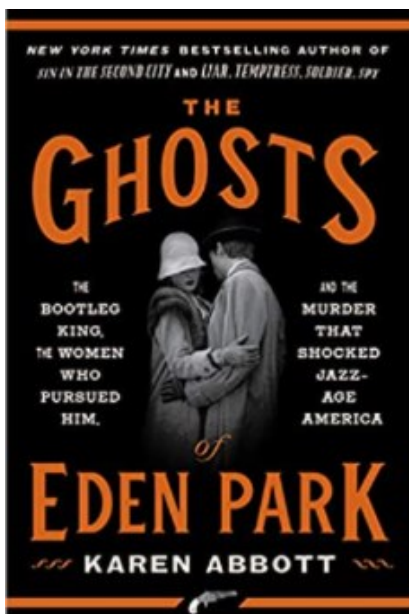
Law Library Board Meeting

The Hamilton County Law Library Resources Board will next meet on Wednesday, January 12 at 12pm. Meetings of the Hamilton County Law Library Resources Board are open to the public. The meeting will be held in the Robert S. Kraft Boardroom in the Law Library.

Topical Updates

We are excited to announce the new design of the Topical Updates for 2021. If you have not signed up before and would like to start receiving substantive bi-weekly updates in one or more practice areas, please visit the topical updates page on our website to sign up. You can select from the following areas of law:

- Criminal
- Employment
- Estates and Trusts
- Family Law
- Intellectual Property
- Pension Benefits
- Real Estate
- Tax
- The Supreme Court & Con Law



CLE Speaker and Topic Ideas

We've already begun planning an exciting year of CLE for you in 2022, but there's always room for more. What topics do you hope we'll address with CLEs in 2022? Do you have a suggestion for a speaker? Be in touch with reference librarian and CLE coordinator [Amy Kurlansky](#) with your recommendations. And, sure, you can volunteer to speak!



Book Club

The Hamilton County Law Library Book Club is meeting via Zoom, at 12:00 on Friday, February 25, 2022.

This month's selection is *The Ghosts of Eden Park*, by Karen Abbott.

It is a gripping account of Cincinnati attorney George Remus, the "King of the Bootleggers."

We are very excited to be able to bring you this opportunity.

And, we look forward to seeing you on the 25th!

Sign up [here](#).

Subscriber Benefits

All subscribers have access to the following valuable resources and services:

Circulation privileges to borrow from over 40,000 print volumes for up to six weeks at a time

Access to extensive legal information databases from the Law Library, including Lexis+, Westlaw, Wolters Kluwer Cheetah™, Overdrive e-books, HeinOnline, and Loislaw treatises

Wireless network throughout the Law Library

Polycom videoconferencing

Eight meeting rooms with speaker phones

Professional reference service by our law librarians, available via e-mail, telephone, and in person

Free document delivery by fax or e-mail of print and electronic materials

CLE seminars throughout the year, on legal research and substantive topics

Subscribers' lounge, magazines, daily newspapers, and coffee

Bi-weekly news alerts by practice area

Discounted rates for photocopying

In addition, solos and attorneys whose firm has a subscription have 24 hour remote access to Fastcase.com case law, Aspen/LOISLaw treatises, HeinOnline (for under 50 attorney firms), EBSCOhost, and Wolters Kluwer Cheetah™

CLEs on Demand

The Hamilton County Law Library is proud to announce that we are going to apply for approval for the following self study CLEs to be included in our on-demand library for the year 2022:

Elder Abuse Awareness (1.0 general hour in OH)

Medicaid Planning (1.0 general hour in OH)

Complex Appeals in Ohio (1.0 general hour in OH)

Fastcase 7 (1.0 general hour in OH)

Mediation (1.0 general hour in OH)

2020 Employment Cases in the US Supreme Court (1.0 general hour in OH)

Trademark & Copyright Law in 60 Minutes (1.0 general hour in OH)

CHANGE Court (1.0 general hour in OH)

Legal Issues & COVID-19 (1.5 general hours in OH)

What Does Stress Have to Do With it? (2.5 hours Professional Conduct in OH)

The Law of Boxing (1.0 hour in OH, and 1.0 hour in KY until June 30, 2022)

Implicit Bias & the Criminal Justice System (1.0 hour Professional Conduct in OH)

Elder Financial Exploitation & Undue Influence (1.0 general hour in OH)

Hamilton County Municipal Court Update (1.0 general hour in OH)

We Don't Know We Don't Know: Future Pandemics and Dynamic Decision Making (1.0 general hour in OH)

Mindfulness for Professionalism and

Civility (1.0 Professional Conduct in OH)

Copyright & Music Law Resources

Law Library subscribers have access to a variety of Copyright and Music Law Resources, including those listed below. If you have questions about these resources, contact the reference staff at reference@cms.hamilton-co.org or 513.946.5300.

The complete guide to patents, copyrights, and trademarks: what you need to know explained simply

KF2979 .C65 2009

Copyright law deskbook

KF2995 .C54 2009

Demystifying intellectual property: a guide for the nonspecialist

KFO330 .I544 2013

Entertainment, publishing and the arts (Lindey)

KFZ2991.5. L55

The law of public entertainments: theatres, music, and dancing, stage plays, cinematographs

KD37720 .S47 2003

Music law: how to run your band's business

KF390 .E57 S87 2009

Music Law 101

KF0330.M87 2015

The public domain: find and use free content for your website, book, app, music, video, art, and more

KF3022.F575 2017

Patry on copyright

KF2991.5 .P382

Principles of Copyright Law

KF2994 .S34 2010

Rock 'n' roll law: music copyright law and cases through Bruce Springsteen

KF3035 .M87 2019

Online Resources

EBSCO

Copyright Handbook
Getting Permission
Music law
The public domain

Fastcase

Trademark and Copyright Disputes: Litigation Forms and Analysis

HeinOnline

Entertainment and Sports Lawyer
Hastings Communications and Entertainment Law Journal
Intellectual Property Law Bulletin

Overdrive

Principles of Copyright Law

Westlaw

American Jurisprudence Trials
American Jurisprudence Pleading and Practice Forms Annotated
Entertainment Law 3d: Legal Concepts and Business Practices
Lindey on Entertainment, Publishing and the Arts, 3d
Multimedia and Technology Licensing Agreements
Wolters Kluwer Intellectual Property Law Daily

Upcoming Events:

Wednesday, January 12, 2022, at 12 PM Library Board Meeting

Monday, January 17, 2022, Library Closed for MLK Day

Monday, February 21, 2022, Library Closed for Presidents Day

Friday, February 25, 2022, at 12 pm, HCLL Book Club Meeting, on ZOOM



January 2022 Law Library Newsletter

- INSIDE THIS MONTH**
- Tech tip: Fastcase Authority Check
 - Board Meeting
 - Copyright & Music Law Resources

Hamilton County Law Library
Hamilton County Courthouse
1000 Main Street, Room 601
Cincinnati, OH 45202

ADDRESS CORRECTION REQUESTED